

REMARKS

Claims 1-57 were originally filed in the present application. The Examiner has restricted claims 1-57 into the following Groups:

Groups 1-98:	Claims 1-35 and 39-45.
Groups 99-197:	Claims 46-50.
Group 198:	Claim 51.
Groups 199-299:	Claims 52-54.
Groups 300-387:	Claims 55-56.
Groups 388-485:	Claim 57.

(Restriction Requirement, pages 2-4).

Groups 99-197 are drawn to a kit comprising two oligonucleotides and a polypeptide encoded by one of the recited SEQ ID Nos. Applicants herein elect without traverse to prosecute claims 46-50, falling within Group 99-197.

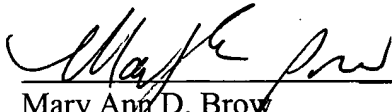
From the Examiner's grouping of the claims, it is the Applicant's understanding that each Group of claims within Groups 99-197 is intended to be restricted to a single one of the polypeptides recited in Claims 47 and 48. Applicants elect to pursue Claims 46-50, wherein the polypeptide is encoded by SEQ ID NO: 2856, said polypeptide comprising the amino acid sequence shown in SEQ ID NO: 2857. As such, Applicants now amend Claims 47 and 48. Claim 47 now recites a polypeptide encoded by the nucleic acid shown in SEQ ID NO: 2856. Claim 48 now recites a polypeptide shown in SEQ ID NO: 2857. SEQ ID NOS: 2856 and 2857 are disclosed as Taq(F28R)TthAKK GL within the Specification at, for example, at page 273, lines 11-17. Thus, these amendments do not constitute new matter.

Claims 47 and 48 are further amended to delete reference to all other polypeptide sequences. Applicants reserve the right to prosecute claims directed to kits comprising the polypeptides of the deleted SEQ ID NOS in one or more divisional applications. These claims as amended relate to a kit comprising two oligonucleotides and a polypeptide and are thus consistent with the Examiner's characterization of the Claims of Groups 99-197.

Applicants also herein cancel Claims 1-45 and 51-57 without prejudice, reserving the right to prosecute the same or similar claims in one or more divisional applications. The Examiner's uncertainty regarding the grouping of Claims 36-38 is rendered moot by the cancellation of these claims.

Claims 46-50 are pending and under examination following entry of Applicants' response to the outstanding Restriction Requirement and Claim amendments. If a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

Dated: 6/21/2004



Mary Ann D. Brown
Registration No. 42,363

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608.218.6900